

UNITED STATES DISTRICT COURT
DISTRICT OF RHODE ISLAND

UNITED STATES OF AMERICA,

Plaintiff,

v.

Civil Action No. 18-CV-668-WES-PAS

LUCKY DOG LLC, D/B/A INDEPENDENT
CATALOGUE SERVICES, DESTINY
MERCHANDISE LLC D/B/A PREMIUM
OPPORTUNITIES & INCENTIVES,
PREMIER CAGING SERVICES, MEAGAN
QUINN SHINE, and MELISSA PINELLI,
individually and as officers, employees, and
agents of LUCKY DOG LLC, DESTINY
MERCHANDISE LLC and PREMIER
CAGING SERVICES,

Defendants.

STATUS REPORT

The United States respectfully submits this status report concerning the above-captioned matter. In advance of this filing, the undersigned conferred with counsel for Defendants, who concur in the government's recommendation that the status quo be maintained in this action for a further sixty days, until August 22, 2022.

This civil action was filed under 18 U.S.C. § 1345 to enjoin then-ongoing conduct that the United States alleges constitutes mail fraud in violation of 18 U.S.C. §§ 1341 and 1349. Specifically, the United States alleged that the defendants (collectively, the "Lucky Dog entities") were carrying out direct-mail solicitation schemes intended to leave recipients with the promise that they had won multimillion-dollar cash prizes or valuable items, which

required submission of a modest “processing” or “document” fee to collect, when in fact those representations were fraudulent, and the prizes and valuables were not forthcoming. Defendants deny these allegations; owing to the procedural posture of the case and the investigation referenced below, Defendants have not yet been required to formally respond to the complaint.

The government and Michael Shine previously reached agreement with respect to all claims raised in this injunction action via Stipulated Consent Agreement, which the Court entered through its Order of November 1, 2021 (ECF No. 37). That agreement provides for continued enforcement of various injunctive terms (principally, a bar on participation in any mail order sweepstakes business), subject to the Court’s contempt power. The entry of that order had the effect of vacating the TRO as to Mr. Shine, and resolving all claims against him in this action.

The government’s claims as to the remaining Defendants remain ongoing, owing to the unexpectedly lengthy parallel criminal investigation. Counsel for the government and Defendants are in ongoing discussions regarding the parallel criminal investigation. As those result of those discussions may obviate or narrow the need for continued injunctive relief in this matter, maintaining the status quo for a further sixty days serves the interests of judicial economy and is in the interest of all parties. Accordingly, the United States respectfully requests that (absent resolution of the case) the Court permit the government to file a subsequent status report in this matter by August 22, 2022, otherwise maintaining the status quo imposed by the stipulation and Order (Docket No. 25) previously agreed by the parties and entered by the Court.

Dated: June 21, 2022

Respectfully submitted,

UNITED STATES OF AMERICA,
By its Attorneys,

ZACHARY A. CUNHA
United States Attorney

/s/ Kevin Love Hubbard

KEVIN LOVE HUBBARD
Assistant U.S. Attorney
50 Kennedy Plaza, 8th Floor
Providence, Rhode Island 02903
(401) 709-5078
(401) 709-5001 (Fax)
Kevin.Hubbard@usdoj.gov

CERTIFICATION OF SERVICE

I hereby certify that, on April 21, 2022, I caused the foregoing document to be filed by means of this Court's Electronic Case Filing (ECF) system, thereby serving it upon all registered users in accordance with Fed. R. Civ. P. 5(b)(2)(E) and 5(b)(3) and Local Rules Gen 304 and 305.

/s/ Kevin Love Hubbard

Kevin Love Hubbard

Assistant United States Attorney